

Private Bag 1001, Dargaville

Phone 439 7059

**Confirmed Minutes of the Ordinary Meeting Of Kaipara District Council In The Council
Chambers, Station Road, Dargaville On Wednesday 22 July 2009 Commencing 1.00 pm**

Contents

1	Opening : Cr Alspach	3
1.1	Present	3
1.2	In Attendance	3
2	Public Forum	3
2.1	S Taylor: Grant Request Tourism Famil	3
2.2	Simon Bennett and Alison Baird: Mangawhai Activity Zone	3
3	Confirmation of Minutes.....	3
3.1	Ordinary Council Meeting : Tuesday 23 June 2009.....	3
4	Strategic.....	4
4.1	Consultation Strategy for 2009/10 including Annual Plan 2009/10; and other key Strategic Projects	4
4.2	Kaipara District Policy on Dogs and Dog Management Bylaw July 2009: Review Decision....	5
5	Policy.....	6
5.1	Mangawhai Activity Zone Concept Plans: Approval	6
5.2	Mangawhai Heads Reserve: Landscaping	7
5.3	Council Committees and External Appointments	9
5.4	Economic Development Facilitator: Position Description	10
5.5	Northland Regional Council Submission to <i>Kaipara's Future - Working Together</i> 2009/19... 11	
5.6	State Highway 1, Brynderwyn Hills: Phase 1 Existing Alignment Assessment	12
5.7	Grant Request: S Taylor, Tourism Famil	12
5.8	Temporary Traffic Management for Local Roads Supplement to Transit New Zealand's Code of Practice for Temporary Traffic Management (COPTTM).....	13
5.9	Notice of Motion: Hamblin Dog Prosecution	13
6	Reports.....	14
6.1	Mayor's Report.....	14
6.2	Councillors Portfolio Reports	14
6.3	Chief Executive's Report: July 2009	14
7	Receipt Items.....	15
7.1	Hearing M Keane EcoCare: Determination of Objection: 12 June 2009	15
7.2	Judicial Committee Minutes: 3 and 31 March, 21 and 28 April 2009	15
7.3	Taharoa Domain Governance Committee Unconfirmed Minutes 30 June 2009.....	15
7.4	Road Naming: Kahu Drive and Matuku Place and off Old Waipu Road, Mangawhai	16
7.5	Collection of Rates on Behalf of Northland Regional Council	16

8	Information Items	17
8.1	Delegated Authority: Schedule of Decisions.....	17
8.2	Hamblin Dog Prosecution Update Report.....	17
8.3	Drinking Water Assistance Programme (SWAP) Funding Approval	17
8.4	District Plan Review: Monitoring Report July 2009.....	18
8.5	National Code of Practice: Utilities Access to Transport Corridors	18
8.6	Draft Regional Land Transport Strategy 2009	19
8.7	Legislative Compliance Certification	19
8.8	Elected Members Remuneration 2009/10: Councillor Guest Declines Increase.....	20
8.9	Rural and Provincial Sector Meeting Papers 11-12 June 2009 and 29 July 2009	20
9	Public Excluded Items 22 July 2009.....	21
	Open Meeting - 22 July 2009	22
9.1	Notice of Motion: Hamblin Dog Prosecution	22
9.2	Contract 526: Professional Services for Roothing, Three Water and Resource Consents. Extension of Services Year 4.....	22
9.3	Maungaturoto Water Supply: Brookland's Irrigation Dam & Raw Water Pipeline Project.....	22
9.4	Trade Waste Discharge Agreement: Silver Ferns Farms Ltd, Dargaville.....	23
9.5	Sale of Station Road Council Depot (old Depot), Dargaville	23
	Closure	23

Confirmed

Minutes: 22 July 2009

1 Opening : Cr Alspach

Councillor Burnett to open the 26 August 2009 meeting.

1.1 Present

Mayor N Tiller, Councillors R Alspach, B Burnett, J Geange, W Guest, B McEwing, T Smith, J Sutherland, G Taylor

1.2 In Attendance

J McKerchar, B Ware, M Fleming, S Soole, M Vincent, C Lichtwark McInnes

2 Public Forum

2.1 S Taylor: Grant Request Tourism Famil

Item 5.7 referred.

2.2 Simon Bennett and Alison Baird: Mangawhai Activity Zone

Item 5.1 referred.

3 Confirmation of Minutes

3.1 Ordinary Council Meeting : Tuesday 23 June 2009

Governance Manager 1601.13

A copy of the minutes was circulated.

Amendments:

a) Public Forum: 27 May 2009

“Whiteman” - incorrect spelling. “Wightman” - correct spelling.

b) Item 9.2 Page 29 should read “Fagan Place, Mangawhai: Redevelopment Update” and this should be reflected in the rest of the text for this item, that is, “Fagan Street” should read “Fagan Place”.

Resolved Smith/Geange

That the minutes of the Ordinary Meeting of Council held Tuesday 23 June 2008, as circulated and amended, be confirmed as a true and correct record.

4 Strategic

4.1 Consultation Strategy for 2009/10 including Annual Plan 2009/10; and other key Strategic Projects

Stakeholder Engagement Manager and Chief Executive Support Team Leader

2302.11.04

A report was circulated that outlined Council's proposed consultation strategy for 2010/11, and ensured that Councillors 'owned' the approach. It was expected that the proposed process will enable Councillors to engage in 'conversations' with their community. It was further considered that the strategy would enable an effective and efficient consultation process, and engagement with the community on key projects, proposals, processes and issues such as the Annual Plan, and any other key strategic projects.

Council proposed to have two rounds of public consultation per year. Therefore it was intended to include as many projects, proposals, issues and initiatives as possible.

The consultation plan was proposed in two stages:

- Stage One involved an August to October round of consultation (pre-plan) including public meetings / Open Forums held in three locations around the District, and targeted consultation with invitations to community groups and organisations to meet with Councillors and senior staff to discuss issues of local and district interest. Discussions with Te Uri O Hau and Te Roroa were proposed to discuss the process and format of consultation for 2010/11.
- Stage Two will include Open Forums, and submissions and hearings on the Draft Annual Plan.

The Local Government Act 2002 (LGA) required councils to adopt an annual plan.

Resolved Smith/Taylor

That Council adopts the following as the basis for its consultation strategy for 2010/11:

- *October consultation (pre-plan) including three public meetings / Open Forums held across the District led by the Mayor, and targeted consultation through invitations to community groups and organisations to meet with Councillors to discuss issues of local and district interest.*

- *Continue to discuss with Te Uri O Hau and Te Roroa their consultation requirements.*
- *March / April consultation (Draft Plan) including 10 public meetings / Open Forums around the District led by the Mayor, and Annual Plan submissions and hearings.*

That the following proposed approach to the development of the Annual Plan 2010/11 be approved in principle:

- *Consolidating the foundation laid down with Kaipara's Future - Working Together 2009/19 taking into account comments received from Audit New Zealand.*
- *Continuing the focus on achieving community outcomes and in particular maximising opportunities to work collaboratively with other groups and organisations.*
- *Continuing Council's focus on the stewardship of community assets through sound planning and management processes.*
- *A community development basis for the provision of public facilities.*
- *Comprehensive consultation including as many issues and initiatives as possible within the draft Annual Plan.*
- *A similar document format to Kaipara's Future - Working Together 2009/19 and flyer style summary.*

Reason for the decision

Establishing a Consultation Strategy for the Annual Plan and other key strategic projects enables the community to effectively participate in Council's projects that they are affected by or have an interest in. Development of the Annual Plan must follow a tight time schedule and agreeing the approach at the outset will assist deadlines being met.

4.2 Kaipara District Policy on Dogs and Dog Management Bylaw July 2009: Review Decision

Chief Executive 3502.04

A report by the Policy Planner was circulated relating to the review of the Kaipara District Policy on Dogs and Kaipara District Dog Management Bylaw that had been undertaken in accordance with the Local Government Act 2002 consultation process. As part of this review process maps were introduced into the Bylaw to give a clear indication of prohibited and leash control areas. At its 23 June 2009 meeting Council asked if the maps could be refined to better reflect the wording in the Bylaw.

The Kaipara District Policy on Dogs and Kaipara District Dog Management Bylaw July 2009, with new maps, was circulated separately.

Council asked that the two areas in the Taharoa Domain that had been omitted be included prior to the adoption of the document.

Resolved McEwing/Geange

That Council retains the same provisions for dog prohibited areas within the Kaipara District Policy on Dogs and Dog Management Bylaw as notified in deliberations on submissions; and

That Council adopts the Kaipara District Policy on Dogs and the Dog Management Bylaw July 2009; and

That Council invites proposals for establishing a dog exercise area at Mangawhai for further consideration.

Reason for the decision

The Local Government Act 2002 process has been followed. From submissions received over the last year and a half it has been shown that most people are generally happy with the status quo subject to some changes which have been accepted by Council. Dog owners in the Mangawhai area would appreciate the opportunity to exercise their dogs at either Lincoln Road reserve of Mangawhai Park where people who do not own dogs are less likely to congregate. However this was not something that can be addressed through the current process as consultation with affected people would need to be undertaken separately.

5 Policy

5.1 Mangawhai Activity Zone Concept Plans: Approval

Community Spaces Manager 4702.13

A report from the Community Spaces Manager was circulated regarding the Council allocation, through the 2007/2008 Annual Plan process, of \$20,000 to develop concept plans for a skate park in Mangawhai. This was done after receiving a record number of submissions from both the Dargaville and Mangawhai communities supporting the development of skate parks in these areas. Council supported the development of concept plans provided an appropriate incorporated entity was formed and that the final location, design and construction costs were brought back to Council for approval. The Mangawhai Activity Zone Committee had formed shortly after and moved swiftly to become an incorporated society.

That Committee approached Council in August 2008 seeking Council approval for a one hectare site in Mangawhai Park to develop the planned Mangawhai Activity Zone; this approval was granted. The Mangawhai Activity Zone had from that time worked tirelessly towards its goal of developing concept plans for a community outdoor activity zone in Mangawhai Park. These concept plans had been finalised along with construction costs and the group sought Council's final approval for these.

The Mangawhai Activity Zone Committee had been thankful for the help and support given to them by Council with the allocation of funds and the endorsement of a one hectare piece of land in Mangawhai Park. Council had not committed any funding beyond the Annual Plan allocation and its approval for the use of a one hectare site within the Park.

Resolved Alspach/Sutherland

That the Kaipara District Council receives the Community Spaces Manager's report dated 13 July 2009 and acknowledges the presentation to Council on 22 July 2009 from members of the Mangawhai Activity Zone; and

That the Kaipara District Council gives its approval in principal to the concept plans developed; and

That the Kaipara District Council includes the concept plans put forward by the Mangawhai Activity Zone in the proposed Mangawhai Park Reserve Plan.

Reason for the decision

The Mangawhai Activity Zone has worked up and finalised design, location and construction costs. This information was now brought back to Council for its approval. This formalises Council's involvement and its approval of the information provided will enable the Mangawhai Activity Zone Committee to proceed with the next stage of this project including securing funding to begin works associated with the development of an outdoors Activity Zone in Mangawhai Park, Mangawhai.

5.2 Mangawhai Heads Reserve: Landscaping

Governance Manager 4702.13

At its July 2008 meeting Council received the initial costing for the redevelopment works of the Mangawhai Heads Reserve. A decision had been made to take the landscape portion out of the initial contract. There were two reasons for this; firstly, that those tendering for the bulk of the redevelopment works were not able to do the landscaping works as it was outside the scope of business and secondly, landscape planting could not take place until the planting season mid 2009 when all other works should have been completed.

There was an expectation in the community that the Mangawhai Heads carpark and surrounding area will be landscaped this planting season which was a valid one given that it has always been Council's intention to finish the redevelopment of the area off with appropriate landscaping. It was noticeable that many drivers took the opportunity to park on the newly developed shell beds and barked gardens during the peak summer period which, because of the timing of the redevelopment, had not been landscaped. Landscaping these areas was not just about keeping drivers off, it was also about the overall aesthetics and feel of the area.

However human nature being what it was, planting here would be a mixture of taller, more established plants and small plants. These would be staked to further discourage those who would otherwise park over small plantings. The planned landscaping would reduce and soften the large expanse of tarseal and concrete and would help assimilate it into the surrounding environment.

Tender documents had been prepared for weed management and planting as part of the redevelopment works at Mangawhai Heads Reserve. The proposed works included but were not limited to: vegetation clearance, weed eradication, planning bed preparation, planting of trees and shrubs, revegetation planting, minor earth shaping, planting maintenance and grassing. It was proposed that these works would be carried out in the amenity garden areas, rain gardens through the carpark itself, bush buffer planting, grassing of redeveloped areas and revegetation of areas including the removal of a small number of pine trees. A series of maps were circulated which showed the areas in which works were proposed to be carried out.

Iwi had been consulted regarding which plants it would be most appropriate to use and all the plant species it planned to use were native and found in the Northland environment.

The Council had spent in the region of \$1.4 million on redeveloping the Mangawhai Heads Reserve and it was proposed to spend a further \$50,000 to complete the landscaping portion of the redevelopment works which would add the finishing touches to Council and the community's vision for the Reserve. When landscaping a house, it was recommended that one should spend up to 10% of the cost of the house to add maximum value without overcapitalising. The \$50,000 required was considerably less than this but would provide the final polish to a highly visual and much awaited redevelopment and would assist in integrating the hard landscape elements better into the soft surrounding natural environment.

The Reserves Contribution Fund for Mangawhai stood at approximately \$2,300,000. This included the \$1,000,000 earmarked for Mangawhai Park.

Resolved Sutherland/Geange

That Council approves a budget of not more than \$50,000 from the Reserve Contribution fund to complete the landscaping portion of the redevelopment works at the Mangawhai Heads Reserve.

Reason for the decision

Council needs to complete this redevelopment in a manner that befits its high profile and that meets the community's expectation.

5.3 Council Committees and External Appointments

Governance Manager 1904.0

At its meeting held 24 June, Council considered and reallocated portfolios. As a result Council reconfirmed its appointments to Council committees and external committees and appointed new representatives where appropriate.

Resolved Geange/Burnett

- 1 **That** the appointment of Councillor Richard Alspach to the Raupo Drainage Committee be reconfirmed.
- 2 **That** Council reconfirms or appoints as follows:
 - Councillors Julia Sutherland, Tom Smith and Graham Taylor, plus the Mayor as chairperson to the Mangawhai Endowment Fund Committee; and
 - Councillor Julia Sutherland to the SPARC Local Funding Allocation Committee; and
 - Councillors Julia Sutherland, Brian Burnett and Brian McEwing to the Creative Communities Local Funding Allocation Committee; and
 - Councillors Julie Geange and Brian Burnett to the Taharoa Domain Management Committee; and
 - Councillor Julie Geange to the Pou Tu O Te Rangi Committee; and
 - The Mayor and Deputy Mayor to the Performance Management Committee.
- 3 **That** Council reconfirms or appoints external appointments as follows:

Northland Regional Council Committees

Regional Land Transport Committee Cr Richard Alspach

Environmental Management Committee Cr Brian McEwing

External Appointments

Mangawhai Community Trust Crs Julia Sutherland and Tom Smith

Matakohe Church and Reserve Committee Cr Graham Taylor

Matakohe Kauri Museum Cr Graham Taylor

Dargaville Swimming Pool Committee Cr Richard Alspach

Road Safety Forum Cr Tom Smith

Northland Sport and Physical Activity Strategy Group Cr Julia Sutherland

- 4 **That** Council reconfirms the following Project Team:

Mangawhai EcoCare Project. Two Otamatea Councillors and the Wastewater Portfolio holder, being Councillors Julia Sutherland, Tom Smith and Graham Taylor.

Reason for the decision

Council reviewed which Councillors held which portfolios and as a result, appointments to Council committees and external committees are to be reconfirmed or new Councillors appointed as appropriate.

5.4 Economic Development Facilitator: Position Description

Chief Executive 2205.03

A report by the Chief Executive was circulated, relating to the Economic Development Facilitator Position. *Kaipara's Future - Working Together* provided very clear guidance as to the Council's direction for Economic Development. The Council had asked that a position description and Economic Development Strategy be approved by Council before recruiting a Facilitator. However, this was not reflected as part of the contract with the community and the Portfolio holder and the Chief Executive both agreed it will be more effective to have the appointee involved in the preparation of the strategy.

Resolved Taylor/Sutherland

That Council approves the recruitment of an Economic Development Facilitator as follows:

Purpose of the Position

To assist the Chief Executive to achieve the following goals:

- *To promote the District*
- *To attract new people to the District*
- *To attract new business to the District*
- *To assist existing businesses to develop*
- *To assist businesses to establish in the District.*

Responsibilities

- *To develop a concise, action oriented Economic Development Strategy that delivers and gives effect to the Regional Growth Strategy*
- *To identify where the greatest successes can be achieved*
- *To identify potential business to locate or relocate into the Kaipara District*
- *To identify and sell the advantages of establishing a business in the Kaipara District*
- *To work with businesses to ensure the benefits of the synergies that are available are maximised*
- *To bring together potential partners to create new opportunities for business*
- *To work with Kaipara's iconic businesses: these include Iwi, Museums, Horticulture and Agriculture*
- *To ensure that new and growing businesses are not delayed by Council's regulatory processes.*
- *To develop high profile promotional activities within the District.*

Critical Success Factors

- *Action oriented*
- *Establish effective networks*
- *Passionately communicating the Council's message*
- *Listening to learn what will attract more people and business*
- *Achievement of outcomes agreed*
- *Proven ability to plan and deliver.*

Key Performance Indicators

- *Population growth*
- *Existing businesses expanded or grown*
- *New businesses to the District*
- *Attractions and/or events highlighting the Kaipara*
- *Visitors numbers more positive than Northland/national trends; and*

That the development of an Economic Development Strategy be a key task of the appointee.

Reason for the decision

This builds on the direction set in *Kaipara's Future - Working Together* and provides a clear path for success. It will also assist in developing the commitment of the appointee to the achievement of the Strategy's outcomes.

5.5 Northland Regional Council Submission to Kaipara's Future - Working Together 2009/19

Chief Executive 2302.13.02

A submission was received from Northland Regional Council dated 20 April 2009 to the draft *Kaipara's Future - Working Together 2009/19*. Council's Chief Executive had drafted a reply to this submission, dated 7 July 2009, for Council's approval. Both the submission and reply were circulated for information.

Resolved McEwing/Alspach

That Council approves the response to Northland Regional Council's submission to Kaipara's Future - Working Together 2009/19 as drafted by the Chief Executive dated 7 July 2009.

Reason for the decision

The response replies to issues raised in the submission received from the Northland Regional Council to *Kaipara's Future - Working Together 2009/19*.

5.6 State Highway 1, Brynderwyn Hills: Phase 1 Existing Alignment Assessment

Community Infrastructural Assets Manager

4106.06

A report from the Community Infrastructural Assets Manager was circulated relating to the NZ Transport Agency study undertaken on Existing Alignment Assessment of State Highway 1 Brynderwyn Hills. The Executive Summary of the study was also circulated. A full copy of the study was available on request.

Whilst reviewing the Northland State Highway Network for links prone to flooding and landslides, the NZ Transport Agency identified that the State Highway 1, Brynderwyn link as a critical link. A subsequent study by the Agency, the State Highway 1 Brynderwyn Hills: Phase 1 Existing Alignment Assessment concluded and recommended that “future effort should initially focus on identifying and prioritising improvements to the existing State Highway route (and the current detour routes)”. This approach was supported and Council will seek the assistance of the Agency to improve the current detour routes.

Resolved Alspach/Smith

That Council writes to the NZ Transport Agency supporting the recommendation contained within the State Highway 1 Brynderwyn Hills: Phase 1 Existing Alignment Assessment that improvements to the Paparoa-Oakleigh Road and Kaiwaka/Mangawhai/Waipu detour routes be identified and prioritised; and

That Council obtains the financial assistance of the NZ Transport Agency to improve the Paparoa-Oakleigh and Kaiwaka/Mangawhai/Waipu detour routes.

Reason for the decision

To ensure State Highway 1 detour routes are fit for purpose.

5.7 Grant Request: S Taylor, Tourism Famil

Stakeholder Engagement Manager

2109.01

A request from S Taylor dated 7 July 2009 was circulated requesting financial assistance to run a tourism famil in October. The request was for \$2,500.

Council discussed this request at length and believed that it was the type of event that the Economic Development Facilitator would be involved in when such a person was appointed by Council. A budget had been set aside but remained unused pending the appointment of a suitable person and Council believed it appropriate that S Taylor’s request for funding be met by this budget.

Resolved Taylor/Geange

That Council approves the request of a grant of \$2,000 by S Taylor for a tourism famil, to be funded from the Economic Development budget.

Reason for the decision

This is the type of event that the Economic Development Facilitator would be involved in when one was appointed by Council.

5.8 Temporary Traffic Management for Local Roads Supplement to Transit New Zealand's Code of Practice for Temporary Traffic Management (COPTTM)

Community Infrastructural Assets Manager**4101.01**

A report by the Community Infrastructural Assets Manager was circulated relating to the Temporary Traffic Management for Local Roads Supplement to Transit New Zealand's COPTTM, a traffic control manual designed for low volume roads such as Kaipara's. This manual supplemented the requirements of Transit New Zealand's Code of Practice for Temporary Traffic Management (COPTTM).

Council's Roding Engineers had examined the supplement and considered it appropriate for use on local roads throughout Kaipara. It allowed for quick and easy development of traffic management plans that met appropriate safety and traffic standards.

Resolved Alspach/Smith

That Council adopts the Temporary Traffic Management for Local Roads Supplement to Transit New Zealand's Code of Practice for Temporary Traffic Management (COPTTM).

Reason for the decision

To ensure consistent, safe and practical temporary traffic management on Council's roading network.

5.9 Notice of Motion: Hamblin Dog Prosecution

Mayor Tiller advised that following receipt of advice, this item would be considered in the Public Excluded portion of the meeting as the matter was still before the Court.

6 Reports

6.1 Mayor's Report

1701.02.03

The Mayor reported on matters of interest in a tabled report.

6.2 Councillors Portfolio Reports

Councillors 1904 (various)

The following Councillors tabled a written report.

Councillor Burnett	Finance Refuse
Councillor Geange	Community Spaces • Reserves • Halls • Council Land
Councillor Taylor	Economic Development / Tourism Judicial Committee Wastewater
Councillor Guest	

6.3 Chief Executive's Report: July 2009

Chief Executive 2002.02.08

The Chief Executive's report for July 2009 was circulated separately.

1.8 Last Year's Slips, Growing Solutions

Council asked if a press release could be sent out which set out how Council prioritised slip repairs.

3.13 Slip Repairs

Council asked for RP, Route Position to be in full at the top of the column and that another column be included titled "Start Date".

Resolved Sutherland/Smith

That the Chief Executive's report for July 2009 be received.

7 Receipt Items

7.1 Hearing M Keane EcoCare: Determination of Objection: 12 June 2009

Development Manager 1605.11

A copy of the Hearing Committee's deliberation of M Keane's objection to an EcoCare drain across his property in Mangawhai, was circulated.

Resolved Taylor/Sutherland

That the Hearing minutes for M Keane of 12 June 2009 be received.

7.2 Judicial Committee Minutes: 3 and 31 March, 21 and 28 April 2009

Development Manager 1605.11

Copies of the Judicial Committee minutes for 3 March, 31 March, 21 April and 28 April 2009 were circulated:

Resolved Taylor/Sutherland

That the Judicial Committee Minutes for 3 March, 31 March, 21 April and 28 April 2009 as circulated, be received.

7.3 Taharoa Domain Governance Committee Unconfirmed Minutes 30 June 2009

Governance Manager 4702.24.02

A copy of the unconfirmed minutes of the Taharoa Domain Governance Committee meeting of 30 June 2009, was circulated.

Council noted that the resolution in respect of a fee increase for the camp ground needed to come before Council for approval as it had not been included in the Annual Plan for *Kaipara's Future - Working Together* process.

Resolved Taylor/Sutherland

That the unconfirmed minutes of the Taharoa Domain Governance Committee meeting held 30 June 2009 as circulated, be received.

In summary, Kaipara District Council was obliged under the 2006/2009 Agreement, to collect regional rates for the 2009/2010 rating year.

Resolved Taylor/Sutherland

That the information be received.

8 Information Items

8.1 Delegated Authority: Schedule of Decisions

Development Manager 3803.0

A schedule of decisions that had been made under delegated authority was circulated. The purpose of this was not for Council to review the detail of these decisions as they had already been made under delegated authority, but rather to give an indication of the nature and scale of developments taking place within the District in a reasonably concise way.

Resolved Mayor Tiller/Sutherland

That the Delegated Authority Schedule of Decisions be received.

8.2 Hamblin Dog Prosecution Update Report

Development Manager 3504.0

A report from Mr Jim Boyd of Off The Beaten Track Enterprises, Consultancy Services in Law Enforcement and Animal Welfare was circulated. This report, dated 28 June 2009, endorsed the approach taken by Council, and commended it for offering diversion as a means of concluding the legal action against Mr Hamblin.

Resolved Mayor Tiller/Sutherland

That the information be received.

8.3 Drinking Water Assistance Programme (SWAP) Funding Approval

Community Infrastructural Assets Manager 4807.0; 4809.0

In May 2008 Council decided to lodge applications for the Ruawai and Maungaturoto water supplies to the Ministry of Health Drinking Water Assistance Programme for small drinking water supplies. The outcome of the application process was expected in September 2008.

On 9 June 2009 the Ministry of Health advised the approval of Council's funding applications for Ruawai and Maungaturoto water supplies. The total funding approved was \$807,154.35, GST excluded.

Council was currently working with the Ministry of Health's Technical Assistance Programme Facilitator to agree a contract to which the Ministry will make the funding available. A milestone payment schedule had been developed for each water supply. The milestones for Ruawai included bore decommissioning, improving water treatment by removing the iron and manganese, new filtration plant, monitoring and training. Maungaturoto milestones included pipeline condition assessments, installation of automatic backwashing facilities, new filters, turbidimeters, alarms, low and high pressure pumps, new telemetry, manual development, monitoring and training. These milestones were being used by the Ministry to make up the contract documents which were expected to be available for signing in July. Once the contracts had been signed they would be processed by the Ministry of Health. Council can then proceed with engaging contractors to undertake the work.

When all work was completed Council would be required to submit a brief report stating the projects were finished and outlining how the project went from Council's point of view.

Resolved Mayor Tiller/Sutherland

That the information be received.

8.4 District Plan Review: Monitoring Report July 2009

Chief Executive 3807.01.08

The monthly Monitoring Report from the Project Manager of the District Plan Review was circulated.

Resolved Mayor Tiller/Sutherland

That the information be received.

8.5 National Code of Practice: Utilities Access to Transport Corridors

Community Infrastructural Assets Manager 4001.11

A national Code of Practice had been developed to formalise access to transport corridors by utility companies, while still allowing corridor managers rights to set reasonable conditions for use. The reason for the introduction of the Code was to offer a nationally consistent approach or process, formalise "best practice" industry standards and minimise third party damage.

The Code had been developed so that it was fair to all parties, harbours co-operation and outlines processes for all involved. Currently introduction of the Code was voluntary, but it was expected that legislation passed later this year would make the Code mandatory.

The impact of this on Council would be the need for processing and monitoring of applications between the corridor manager and the utility companies when undertaking work on Council's roads and road reserves. This should be financially neutral to Council as a fee can be charged to cover the cost of processing and monitoring.

Resolved Mayor Tiller/Sutherland

That information be received.

8.6 Draft Regional Land Transport Strategy 2009

Community Infrastructural Assets Manager 4102.21

The Regional Land Transport Committee for Northland had been preparing a new Regional Land Transport Strategy. This document provided guidance on land transport outcomes for the region over the next 30 years. In conjunction with the Rooding Operations Portfolio holder Council had developed a submission to the draft document. It was anticipated that these comments meant that the document would strategically align more to Kaipara's needs. The Kaipara District Council letter dated 30 June 2009 that had been submitted, was circulated for the information of Councillors.

Resolved Mayor Tiller/Sutherland

That the information be received.

8.7 Legislative Compliance Certification

Chief Executive 2112.01

The signed certificates were circulated for the period ended 30 June 2009 of the sign-off from Management to Council that was undertaken half-yearly.

Resolved Mayor Tiller/Sutherland

That the information be received.

8.8 Elected Members Remuneration 2009/10: Councillor Guest Declines Increase

Governance Manager 1801.0

A letter received from Councillor Guest, dated 7 July 2009, was circulated, in which he confirmed his intention to donate his Elected Members' remuneration increase for the 2009/10 year back to the Kaipara District Council.

Resolved Mayor Tiller/Sutherland

That the information be received.

8.9 Rural and Provincial Sector Meeting Papers 11-12 June 2009 and 29 July 2009

Governance Manager 2113.02.01

Copies of the following Rural and Provincial Sectors' documents were circulated:

- a) The Minutes from the 11/12 June 2009 meeting
- b) The Agenda for the upcoming AGM on 29 July 2009
- c) The Minutes from the previous year's AGM on 30 July 2008
- d) The 2008/2009 Annual Report.

Resolved Mayor Tiller/Sutherland

That the information be received.

9 Public Excluded Items 22 July 2009

Resolved McEwing/Sutherland

That the public be excluded from the following part of the proceedings of this meeting namely:

- *Notice of Motion: Hamblin Dog Prosecution*
- *Contract 526: Professional Services*
- *Maungaturoto Water Supply: Brookland's Irrigation Dam*
- *Trade Waste Discharge Agreement: Silver Ferns Farms Ltd, Dargaville*
- *Sale of Station Road Council Depot (old Depot), Dargaville*

The general subject matter of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act, 1987 for the passing of this resolution are as follows:

<i>Subject matter to be considered:</i>	<i>Ground(s) under Section 48 (1) for the passing this resolution:</i>
<i>Notice of Motion: Hamblin Dog Prosecution</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(a)</i>
<i>Contract 526: Professional Services</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Maungaturoto Water Supply: Brookland's Irrigation Dam</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Trade Waste Discharge Agreement: Silver Ferns Farms Ltd, Dargaville</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>
<i>Sale of Station Road Council Depot (old Depot), Dargaville</i>	<i>Section 48 (1)(a), Section 7, Section 7(2)(b)(ii)</i>

Reason for passing this resolution in relation to each matter

This resolution was made in reliance of Section 48 (1)(a) of the Local Authority Official Information and Meetings Act and the particular interest or interests protected by Section 7 of that Act Section 7 of the Official Information Act 1982, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

Section 7 (2)(a) protect the privacy of natural persons.

Section 7 (2)(b)(ii) would be unreasonably to prejudice the commercial position of the person who supplied or who was the subject of the information.

9.4 Trade Waste Discharge Agreement: Silver Ferns Farms Ltd, Dargaville

Community Infrastructural Assets Manager **4501.07**

Resolved Taylor/McEwing

That Council approves the draft Agreement to Discharge Trade Wastes for consultation and negotiation with Silver Ferns Farms Ltd.

Reason for the decision

To provide parameters for the discharge of trade waste to ensure Council wastewater systems and Discharge Consents are not compromised.

9.5 Sale of Station Road Council Depot (old Depot), Dargaville

Community Spaces Manager **5105.12**

Resolved Guest/Geange

That Council accepts the offer from Harrison Contracting Limited to purchase the land described as Part lot 4 Deposited Plan 48172 in Certificate of Title NA452/80, containing an area of 0.4047 hectare for the sum of \$330,000 exclusive of GST and the land described as Lot 25 Deposited Plan 15690 described in Certificate of Title NA 265/84 containing an area of 0.1012 hectare for the sum of \$75,000 exclusive of GST; and

That Council enters into a lease agreement with Harrison Contracting Limited for the building known as the Fire Depot, Station Road, Dargaville.

Reason for the decision

The land was considered to be surplus to Council's requirements and the sale assists the funding of capital projects such as construction of the Regional 50 metre pool in Dargaville. This was in line with Council's Draft *Kaipara's Future - Working Together* 2009/2019.

Closure

The meeting closed at 4.20 pm

Confirmed this 26th day of August 2009

Mayor Tiller